

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – PJP Gadwal, Mahabubnagar District – Dharoor (Mandal) –Uppair (Village) -
O.P.No.75/2005 & 59/2005 – Sanction of Decretal charges of **Rs.1,08,07,294/-** -
Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 409

DATE:06.06.2009

Read:

From the CCLA, AP, Hyd Lr.No.SRP4/262/2008, DT:02.05.2009 along
ith the proposal of the Spl.Collector, Bheema Project, Mahabubnagar
District Lr.No.E/PJP/B3/768/2006, dt:27.01.2009.

O R D E R:

The Secretary to Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.75/2005 & 59/2005 pertaining to Dharoor (Mandal), Uppair (V) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the houses and structures in the limits of Uppair (V) Dharoor (M) of Mahabubnagar District by fixing the market value @Rs.85/-per sq.mtr vide Award No.42/2005, dt:25.05.2005. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal in its orders dt:09.02.2007 had delivered judgments by enhancing the market value from Rs.85/- per sq.mtr to Rs.170/- per sq.mtr. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyd against the orders of the Lower Court. **In the mean while the claimants have filed E.P.No.281/2007 in O.P.No.75/2005 in Sr.Civil Judge Court, Gadwal.** The Hon'ble High Court of A.P, Hyderabad has granted interim stay subject to condition to deposit half of the decretal amount. Accordingly, an amount of Rs.87,91,530/- was sanctioned and the same has been deposited in the Sr.Civil Judge, Gadwal on 31.08.2007. Finally, the Hon'ble High Court of A.P, Hyderabad has disposed the Appeals on 13.11.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,08,07,294/- (Rupees One Crore eight lakhs seven thousand two hundred and ninety four only)** in respect of O.P.No.75/2005 & 59/2005 (total 2 O.Ps) pertaining to Uppair (V) Dharoor (M) of Mahabubnagar District may be agreed to subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (26) – Dams & Appurtenant works - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.786/F2(2)/2009-1, dated 12.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, I&CAD, MBNR, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.1638/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER